



# Universal Recycling Ordinance: Proposed Amendments to the Ordinance & Administrative Rules

Sustainable Food Policy Board  
June 9, 2014



## Agenda

- Ordinance History
- Stakeholder Process
- Key Amendments Ordinance & Administrative Rules
- Organics Implementation Timeline
- Commission action and input
- Staff Recommendation



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## Background City Council Adopted Ordinance

**November 4, 2010**

City Council adopts the URO  
(City Code Chapter 15-6, Solid Waste Services, Article 5)

- Part of Austin's Zero Waste Master Plan to achieve ninety percent reduction in landfill waste by 2040;
- Applies to multi-family and commercial office buildings; and
- Requires property owners to ensure access to recycling services, provide education, and submit a Recycling Plan.

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## Background City Council Adopted Ordinance

**April 25, 2013**

City Council Adopts Amendments to the URO [Phase 2]  
(City Code Chapter 15-6, Solid Waste Services, Article 5)

- Expands the URO to affect all commercial and industrial properties;
- Requires all food permit holders to ensure access to organics diversion for employees and tenants; and
- Incorporates the hierarchy of beneficial use to diversion methods.


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## Stakeholder Process

Stakeholder Meetings were conducted between **June of 2013** and **March of 2014**.

- 14** Stakeholder Group Meetings
- 25** Stakeholders averaged per meeting
- 66** Unique businesses were represented
- 19** Unique material haulers and processors were represented
- 20** Unique associations, chambers, or alliances attended representing their constituents
- 190** Unique stakeholders attended at least one meeting


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## Administrative Rules Key Amendments

**Overall:** Relocated and grouped existing language throughout document for **increased clarity**.

- Clarified requirements for affected properties who receive landfill trash and recycling **services from the City of Austin**.
- Developed reporting **credits for reuse and reduction** to reflect Hierarchy of Beneficial Use.
- Provided details for **organics diversion** and the **hierarchy of beneficial** use; allowing **flexibility** for partnerships

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## Properties Receiving Services from the City of Austin

**Challenge:** Duplicate education efforts for multi-family properties receiving City of Austin services.

**Solution:** Based on billing types, clarified compliance standard:

- Tenant billed directly – property is compliant
- Tenant not billed directly – property is compliant with all URO requirements, except education standards. Property must provide education of recycling program to tenant.

[Rules Page # 02 of 33]



## Reuse and Reduction Credits

**Challenge:** The current Administrative Rules provided no guidance on reuse and reduction efforts.

**Solution:** Developed a “Reuse and Reduction Credit” to account for alternative diversion methods.

[Rules Page # 09 of 33]





## Organics Diversion & Hierarchy of Beneficial Use

### Challenge

Organics component added in April 2013 amendments, therefore, organics diversion details not included in rules

### Solution

Integrated organics diversion throughout the rules and provided flexibility to include diverting organics based on hierarchy of best use.

[Rules Page # 12 of 33]



## Universal Recycling Ordinance Key Amendments

- Revision of the term “**Property Owner**” to “**Responsible Party**,” defined to reflect the business operator of impacted properties.
- Revision of the term “**compostable**” to “**organics diversion**” to be inclusive of the hierarchy of beneficial use of food scraps (food donation, etc.).
- Modification to the organics diversion phase in **timeline**.



## Universal Recycling Ordinance Key Amendments

**Challenge:** Many property owners were not directly responsible for contracting waste management services.

**Solution:** Replaced term with “Responsible Party” to broaden and specify the entity responsible for the requirements of the ordinance.

[Ordinance Pages # 02 of 11 & #3 of 11]



## Responsible Party

### Chapter 15-6-1 DEFINITIONS

**RESPONSIBLE PARTY** means: (i) the owner of a premises or an employee of the owner or (ii) the manager of a premises or an employee of the manager.

**MANAGER** means a person who handles the day-to-day operations of a premises on behalf of an owner.

[Ordinance Page #02 of 11]





## Responsible Party

### Chapter 15-6-81

#### RESPONSIBLE PARTY GENERAL RULE; EXCEPTION

(A) With the exception of Subsection (B), a responsible party shall comply with any duty that is imposed on the responsible party in this Article 5.

(B) A **tenant** or lessee on a premises who **contracts** or arranges with a hauler for solid waste service or who self-hauls is deemed the **responsible party** with respect to that portion of the premises over which the tenant has care, custody, control, or possession.

[Ordinance Page #03 of 11]



## Organics Implementation Types of Properties Affected City Wide

A **Responsible Party** for a food enterprise that requires a **food permit** shall ensure that employees have access to on-site diversion of **organic materials**.

[Ordinance Page #05 of 11]



## Organics Implementation Types of Properties Affected City Wide

**Food Product** permit types can be warehouses, distribution centers, bakeries, or breweries.

**Food Service** permits types can be hotels, theatres, cafeterias, bars, or restaurants.

**Retail Food** permit types can be grocery stores, liquor stores, pharmacies, or convenience stores

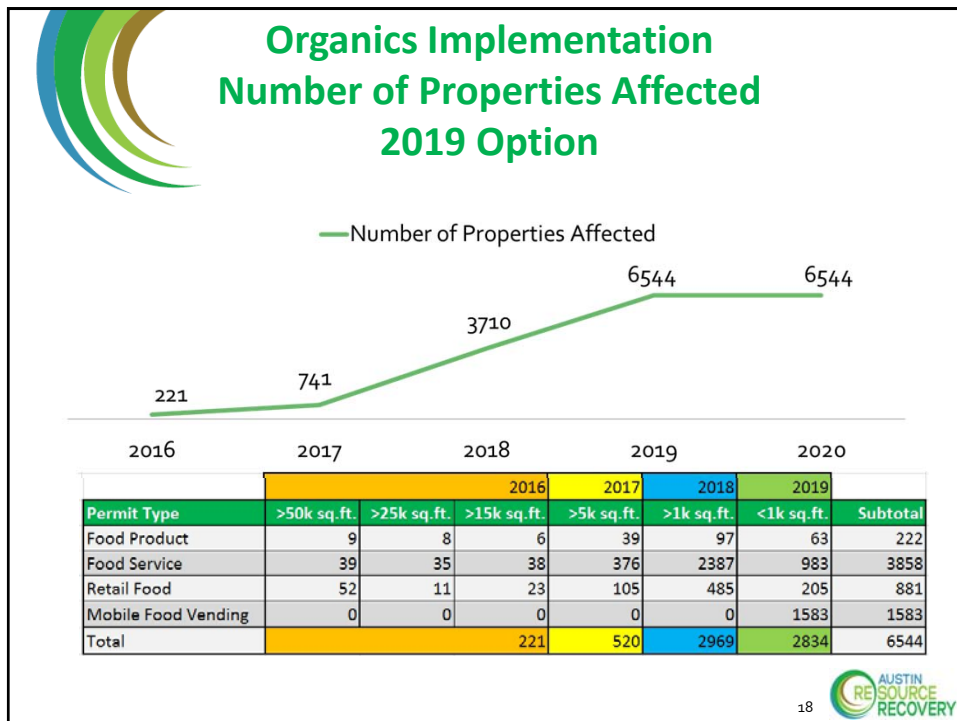
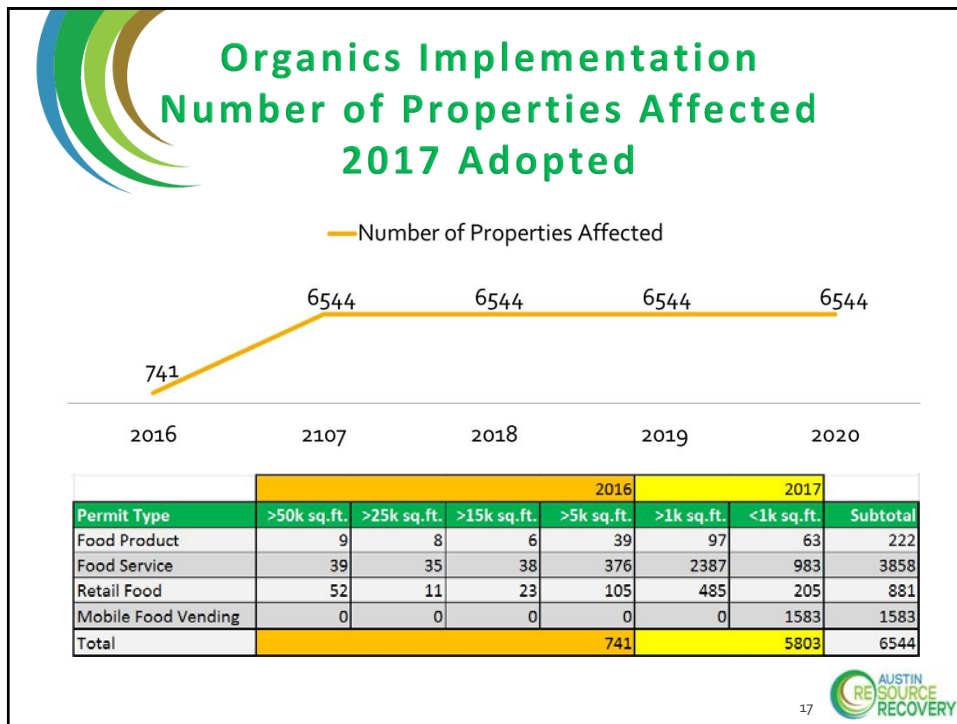


## Organics Implementation Number of Properties Affected City Wide

Permit Type	>50k sq.ft.	>25k sq.ft.	>15k sq.ft.	>5k sq.ft.	>1k sq.ft.	<1k sq.ft.	Subtotal
Food Product	9	8	6	39	97	63	222
Food Service	39	35	38	376	2387	983	3858
Retail Food	52	11	23	105	485	205	881
Mobile Food Vending	0	0	0	0	0	1583	1583
Total							6544

*All numbers are estimates based on data sets at this time*







## Commission Action and Input

### Zero Waste Advisory Commission

Recommended approval of the proposed amendments to the Administrative Rules and Universal Recycling Ordinance, with a modification to require properties larger than 15,000 sf with food permits to divert organics beginning 2016.



## Staff Recommendations

- Staff recommends adoption of the proposed amendments to the Administrative Rules; and
- Staff recommends adoption of the proposed amendments to the Universal Recycling Ordinance, which include the following ZWAC recommended modifications:
  - A two year extension of the organics diversion requirements from 2017 to 2019, and
  - A requirement that food permit holders of properties with more than 15,000 square feet divert organics starting in 2016

## Question & Answer

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